

### **REMARKS**

Claims 1-26 are pending in the application. Claims 1-26 stand rejected. Claims 1, 6-10, 17, 22 and 26 have been amended. In view of the following, all previously unallowed and new claims are in condition for allowance.

#### **Rejection of Claims 7-8 Under 35 U.S.C. 112, Second Paragraph**

Claims 7-8 have been amended and are now in condition for allowance.

#### **Rejection of Claims 1, 3-13, 17-18, 21-24 and 26 Under 35 U.S.C. 102(b) As Being Anticipated By Schmidt**

##### **Claim 1**

Claim 1 recites a ship comprising a hull structure having a plurality of exclusive hull portions protruding from a main body of the hull structure, wherein each of the hull portions is at least partially above a waterline during operation of the ship.

For example, referring, *e.g.*, to FIG. 3 and paragraphs 20-24 of the application, a ship 300 has a plurality of exclusive hull portions 301a-d that protrude from a main hull structure or frame 310. The hull portions 301a-d provide a combined buoyancy that support the ship 300 in water. As seen in, for example, FIG. 3, each of the hull portions 301 a-d is at least partially above a waterline 350 during operation of the ship 300.

Schmidt, on the other hand, fails to teach or suggest hull portions at least partially above a waterline during operation of a ship. Schmidt, at, *e.g.*, FIGS. 5-7 and column 6, line 53 to column 7, line 13, discloses a ship 20 having an above-water-plane hull structure 22, with a bow portion 24 and a stern portion 26. Depending from the bow portion 24 are struts 28, 30. Depending from the bow struts are pods 29, 31. Connected between the pods 29, 31 is a streamlined displacement foil 32. A second set of struts 34, 36, arranged in tandem with struts 28, 30, depend from the stern portion

26 of the hull structure 22. These struts are subtended by propulsion pods 38, 40 that carry conventional means for propelling the ship 20. A second streamlined displacement foil 42 extends laterally between the propulsion pods. The foils 32, 42 and pods 29, 31, 38 and 40 provide the major buoyancy for the ship 20. However, during operation of the ship 20, the foils 32, 42 and pods 29, 31, 38 and 40 are entirely submerged below the waterline. As such, Schmidt neither teaches nor suggests a hull structure having a plurality of exclusive hull portions protruding from a main body of the hull structure, wherein each of the hull portions is at least partially above a waterline during operation of the ship.

#### **Claims 6, 22 and 26**

Claims 6, 22 and 26 are patentable for reasons similar to those discussed above in connection with claim 1.

#### **Claims 3-5, 7-8 and 23-24**

Claims 3-5, 7-8 and 23-24 are patentable by virtue of their respective dependencies from claims 1, 6 and 22.

#### **Claim 9**

Claim 9 recites a main body having a length, a plurality of struts protruding from the main body, and a plurality of pontoons each coupled to at least one of the plurality of struts, each pontoon being misaligned with the other pontoons along the length.

For example, referring, *e.g.*, to FIG. 4 and paragraph 28 of the application, a ship 400 has three hull portions (pontoons) 401a-c that protrude from a frame 410 of the ship. As seen in FIG. 4, each of the hull portions 401a-c is misaligned with the other hull portions along the length of the ship 400.

Schmidt, on the other hand, fails to teach or suggest a pontoon being misaligned with the other pontoons along the length of a ship. Schmidt, at, *e.g.*, FIGS. 11-14 and

corresponding discussion, discloses a ship having forward buoyancy pods 70, 72 and aft propulsion pods 74 and 76, each of which is aligned along the length of the ship with at least one other pod. As such, Schmidt neither teaches nor suggests a plurality of pontoons, each of which is misaligned with the other pontoons along the length of a ship.

### **Claims 10-13**

Claims 10-13 are patentable by virtue of their dependency from claim 9.

### **Claim 17**

Claim 17 recites directly coupling a plurality of independent hull portions to the main body of a ship.

For example, referring, *e.g.*, to FIG. 3 and paragraphs 20-24 of the application, a ship 300 has a plurality of exclusive hull portions 301a-d that directly protrude from a main hull structure or frame 310. As seen in, for example, FIG. 3, each of the hull portions 301 a-d is not attached to the ship 300 by struts or any other attaching structure.

Schmidt, on the other hand, fails to teach or suggest directly coupling a plurality of independent hull portions to the main body of a ship. As discussed above in connection with claim 1, Schmidt, at, *e.g.*, FIGS. 5-7 and column 6, line 53 to column 7, line 13, the foils 32, 42 and pods 29, 31, 38 and 40 that provide the major buoyancy for the ship 20 taught by Schmidt are each attached to the ship by struts.

### **Claims 18 and 21**

Claims 18 and 21 are patentable by virtue of their dependency from claim 17.

**Rejection of Claims 2 and 20 Under 35 U.S.C. 103(a) As Being Unpatentable Over Schmidt In View of Loui**

**Claim 2**

Loui fails to supply the teachings missing from Schmidt, namely a hull structure having a plurality of exclusive hull portions protruding from a main body of the hull structure, wherein each of the hull portions is at least partially above a waterline during operation of the ship. As such, Schmidt and Loui, either taken each alone or in combination, fail to teach or suggest the limitations recited in claim 1. Accordingly, claim 2 is patentable by virtue of its dependency from claim 1.

**Claim 20**

Loui fails to supply the teachings missing from Schmidt, namely directly coupling a plurality of independent hull portions to the main body of a ship. As such, Schmidt and Loui, either taken each alone or in combination, fail to teach or suggest the limitations recited in claim 17. Accordingly, claim 20 is patentable by virtue of its dependency from claim 17.

**Rejection of Claims 14-16, 19 and 25 Under 35 U.S.C. 103(a) As Being Unpatentable Over Schmidt In View of Barbier et al.**

**Claims 14-16**

Barbier fails to supply the teachings missing from Schmidt, namely a plurality of pontoons, each of which is misaligned with the other pontoons along the length of a ship. As such, Schmidt and Barbier, either taken each alone or in combination, fail to teach or suggest the limitations recited in claim 9. Accordingly, claims 14-16 are patentable by virtue of their dependency from claim 9.

**Claim 19**

Barbier fails to supply the teachings missing from Schmidt, namely directly coupling a plurality of independent hull portions to the main body of a ship. As such, Schmidt and Barbier, either taken each alone or in combination, fail to teach or suggest the limitations recited in claim 17. Accordingly, claim 19 is patentable by virtue of its dependency from claim 17.

**Claim 25**

Barbier fails to supply the teachings missing from Schmidt, namely a hull structure having a plurality of hull portions protruding from a main body of the hull structure, wherein each of the hull portions is at least partially above a waterline during operation of the ship. As such, Schmidt and Barbier, either taken each alone or in combination, fail to teach or suggest the limitations recited in claim 22. Accordingly, claim 25 is patentable by virtue of its dependency from claim 22.

**CONCLUSION**

In view of the foregoing, claims 1-26 are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes that a telephone conference would expedite prosecution of this application, please telephone the undersigned at 425.455.5575.

In the event additional fees are due as a result of this amendment, you are hereby authorized to charge such payment to Deposit Account No. 07-1897.

Respectfully submitted,

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